

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

LEONEL SOTO,

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Movant,

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vs.

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UNITED STATES OF AMERICA,

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Respondent.

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Case Numbers:**2:12-cv-08015-CLS-SGC****2:09-cr-00153-CLS-SGC**

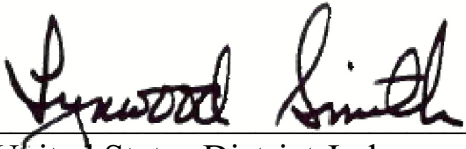
MEMORANDUM OPINION

On July 7, 2015, the magistrate judge entered a sealed report recommending the above-captioned Motion to Vacate, Set Aside, or Correct Sentence filed pursuant to 28 U.S.C. § 2255 be denied. (Doc. 12). The magistrate judge further recommended a certificate of appealability be denied, pursuant to Rule 11 of the *Rules Governing 2255 Proceedings*. The time to object has passed, and no objections have been filed.

After careful consideration of the record in this case and the magistrate judge's report, the court hereby **ADOPTS** the report of the magistrate judge, and **ACCEPTS** her recommendations. In accordance with the recommendations, the court finds: (1) all claims based on the failure to file a substantial assistance motion, including any related ineffective assistance of counsel claims, will be **DENIED** as **MOOT**; (2) all

other claims for ineffective assistance of counsel will be **DENIED** and **DISMISSED WITH PREJUDICE**; and (3) all claims that the sentence imposed in this case is unreasonable will be **DENIED** and **DISMISSED WITH PREJUDICE**, except that any claims sounding in 28 U.S.C. § 2241 will be **DISMISSED WITHOUT PREJUDICE**. Additionally, a certificate of appealability will be **DENIED**. A separate order will be entered.

DONE this 29th day of July, 2015.



United States District Judge